

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)
	)
STATE OF LOUISIANA	)
REQUEST FOR WAIVER OF THE	) PS Docket 06-229
DECEMBER 31, 2016 700 MHZ	) RM-11577
NARROWBAND DEADLINE	)

***EX PARTE* COMMENTS OF APCO**

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following brief *ex parte* comments in response to the Commission’s *Public Notice*, DA 12-1170, released July 20, 2012, seeking comments in response to the above-captioned request for waiver from the State of Louisiana (“Louisiana”).

Founded in 1935, APCO is the nation’s oldest and largest public safety communications organization. Most APCO members are state or local government employees who design, manage, and operate public safety communications systems for police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO is the largest FCC-certified coordinator for Part 90, Public Safety Pool radio frequencies, and regularly appears before the Commission on a wide range of issues regarding public safety communications.

Louisiana is seeking a waiver of the Commission’s requirement that 700 MHz “narrowband” radio systems operate with a bandwidth of no more than 6.25 kHz by December 31, 2016. Louisiana has also submitted a petition for rulemaking, RM-11577, asking the

Commission to modify its rules and eliminate the December 31, 2016 deadline. APCO previously submitted comments supporting the Louisiana petition for rulemaking,<sup>1</sup> and submits these comments to reiterate the need for the Commission to modify the underlying rule, which would obviate the need for waiver requests from Louisiana and similarly situated 700 MHz band licensees.

Due to the lengthy digital television transition, the 700 MHz public safety spectrum was unavailable in much of the nation until June 17, 2009, much later than originally contemplated when the FCC first adopted Section 90.535. Thus, under the current rule, non-compliant 6.25 kHz equipment in the 700 MHz band would have to be replaced long before the end of normal equipment life-cycles (generally at least ten years from system deployment), at considerable expense to cash-strapped state and local governments. Questions have also been raised as to whether there will be competitive sources of standardized 6.25 kHz equipment available in time to meet the 2016 deadline. Those facts alone suggest the need to extend the current deadlines for 700 MHz narrowband licenses to convert to 6.25 kHz technology, and to grant appropriate waivers in the interim.

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<sup>1</sup> Comments of APCO, RM-11577 (Nov. 18, 2009).

## CONCLUSION

Therefore, for the reasons discussed above, the Commission should proceed to modify Section 90.535 of its rules as quickly as possible and, if necessary, grant fully supported waivers from public safety licensees such as Louisiana.

Respectfully submitted,

/s/

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